

United States Bankruptcy Court
Middle District of Pennsylvania

In re:
Thomas N. Kounas
Debtor

Case No. 14-05595-MDF
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0314-1

User: DDunbar
Form ID: pdf010

Page 1 of 1
Total Noticed: 2

Date Rcvd: Sep 14, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 16, 2016.

4588200 +CUMBERLAND COUNTY TAX CLAIM BUREAU, ONE COURTHOUSE SQUARE, ROOM 106,
CARLISLE, PA 17013-3339
4588225 +WILLIAM MITCHELL, 6090 PARKWAY E., HARRISBURG, PA 17112-1221

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 16, 2016

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 14, 2016 at the address(es) listed below:

Charles J. DeHart, III (Trustee) dehartstaff@pamdl3trustee.com, TWecf@pamdl3trustee.com
Joshua I Goldman on behalf of Creditor M&T BANK bkgroup@kmllawgroup.com,
bkgroup@kmllawgroup.com
Lawrence G. Frank on behalf of Debtor Thomas N. Kounas lawrencegfrank@gmail.com
United States Trustee ustpregion03.ha.ecf@usdoj.gov

TOTAL: 4

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE:	:	Chapter 13
THOMAS KOUNAS,	:	
Debtor	:	
THOMAS KOUNAS,	:	Case No. 1:14-bk-05595 MDF
Movant	:	
 v.	:	
WILLIAM MITCHELL AND	:	
CUMBERLAND COUNTY TAX CLAIM	:	
BUREAU,	:	
Respondents	:	

**ORDER GRANTING DEBTOR'S MOTION FOR SALE OF REAL PROPERTY FREE
AND CLEAR OF LIENS AND ENCUMBRANCES PURSUANT TO 11 U.S.C. §363(f) OF
THE BANKRUPTCY CODE**

Upon consideration of the Debtor's motion for sale of real property, being Lot 5-D Conifer Lane, Mechanicsburg, PA 17050, free and clear of liens and encumbrances pursuant to 11 U.S.C. §363(f) of the Bankruptcy Code, for the sum of \$59,900.00 pursuant to the terms and conditions set forth in the standard agreement for sale of vacant land, attached to the Debtor's motion, and upon the record of this case, and the relief requested being appropriate and in the best interest of the estate and its creditors, following notice to creditors and other parties in interest, no objections having been received on or before the last day for filing same, and it appearing that no further notice be given, and it appearing that good cause exists for the relief requested in the motion, and upon finding that the sale of the above real estate as set forth in the motion and attachment is both fair and reasonable, and that both purchaser and the Debtor are acting and have acted in good faith, and that the sale of the real property results from the parties acting at "arm's length", and that, therefore, the purchaser is entitled to the protections of a good faith purchase under §363(m) of the Bankruptcy Code, and that the consummation of the

transaction contemplated by the motion represents the exercise of the Debtor's sound business judgment, is undertaken for a sound business purpose, is in the best interest of the Debtor's estate and his creditors, and this Court having further found that the relief requested is necessary and after due deliberation and cause being shown, it is

HEREBY ORDERED AND DECREED that:

1. The Debtor's motion is granted;
2. The Debtor is authorized to sell, assign and transfer real estate at Lot 5-D Conifer Lane, Mechanicsburg, Pennsylvania to Seherzada Prasko and Adis Prasko for the sum of \$59,900.00 pursuant to the terms and conditions set forth in the standard agreement for sale of vacant land attached to the Debtor's motion;
3. The Debtor and the Debtor's creditors shall have no further liens, encumbrances, Claims or interests against the purchasers following closing;
4. The purchasers have acted in good faith as defined by §363(m) of the Bankruptcy Code in connection with this transaction authorized by this sale order and are, accordingly, granted the protections therein so provided.
5. The Debtor is authorized and directed to take all necessary actions to consummate the sale and to execute all documents and instruments that the Debtor deems appropriate and necessary to implement and effectuate this order;
6. The purchase price of \$59,900.00 is to be paid to the Debtor and the proceeds from the sale of the real property are to be distributed at settlement as follows:
 - (a) 6% commission to RSR Realtors and co broker, if any, per prior order of this court;
 - (b) 1% transfer tax;

- (c) \$2,000.00 to Lawrence G. Frank, Esquire, as the balance of the attorney's fee due and owing in this case;
- (d) past due real estate taxes and present real estate taxes, which are the responsibility of the seller, prorated to the date of settlement;
- (e) past due sewer and water charges, if any, and present sewer and water charges, if any, prorated to the date of settlement;
- (f) any notarization and incidental recording fees associated with the sale of the real estate;
- (g) payment to William Mitchell, Mortgagee, to the extent of any principal and interest due on said mortgage;
- (h) balance after payment of the above to Charles J. DeHart, III, Chapter 13 Trustee, for distribution to creditors.

IT IS FURTHER ORDERED AND DECREED that a certified copy of this order may be filed in any recording offices desired by the purchasers or the Debtor herein.

By the Court,

Dated: September 14, 2016



Mary D. France
Bankruptcy Judge
(VK)